

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael J. Sullivan

Serial No.:

09/776,278

Filed:

February 2, 2001

Group No

3711

Examiner:

R. Gorden

For:

Improved Multi-Layer Golf Ball

**Commissioner of Patents and Trademarks** Washington, D.C. 20231

# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION (37 CFR 1.321(b))**

# Identification Of Person(s) Making This Disclaimer

Name(s) of disclaimant(s):

Richard M. Klein

having an address of:

Fay, Sharpe, Fagan, Minnich & McKee, LLP

1100 Superior Avenue, Seventh Floor

Cleveland, OH 44114-2518

represent that I am

an inventor of this invention

\_\_ an assignee of this invention

XX Attorney of record in the present application

TECHNOLOGY CENTER RATOR

## **CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an enveloped addressed to the: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: September

(Terminal Disclaimer to Obviate a Double Patenting Rejection (37CFR 1.321(b))

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note- See fee on the 6

# Identity of Assignee and Title of Disclaimant (if applicable)

The assignee is

Name of assignee:

Spalding Sports Worldwide, Inc.

Address of assignee:

425 Meadow Street

Chicopee, MA 01013

Title of disclaimant authorized to sign on behalf of assignee:

## Counsel

## **Recordal of Assignment in PTO**

XX the assignment to Spalding Sports Worldwide, Inc. from Lisco Inc. was recorded on Reel: 010232; Frame: 0251 on April 23, 1999; the assignment to Lisco Inc. was recorded on Reel: 7750; Frame: 0242 on November 9, 1995 authorization for recordal of the assignment is separately attached

## **Extent of Interest**

The extent of my (our) interest is in

XX the whole of this invention

\_\_ a sectional interest in this invention as follows (here state the exact interest of the disclaimant(s):

## **Statement Pursuant to 37 C.F.R. 3.73(b)**

I the undersigned, have reviewed all the evidentiary documents in the chain of title of the

XX patent application

patent

matter identified above and, to the best of my knowledge and belief, title is in the assignee identified above which is seeking to take action.

#### Disclaimer

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

- $\underline{XX}$  United States Patent No. <u>6,210,293</u>, as presently shortened by any terminal disclaimer
- Any patent granted on application number:

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

XX United States Patent No. 6,210,293

\_\_ Any patent granted on application number:

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

- XX United States Patent No. <u>6,210,293</u> as presently shortened by any terminal disclaimer
- \_\_ Any patent granted on application number:

In the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

 $(Terminal\ Disclaimer\ to\ Obviate\ a\ Double\ Patenting\ Rejection\ (37CFR\ 1.321(b))$ 

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## **Fee Status**

(37 CFR 1.20(d) and 37 CFR 1.321)

XX other th	nan a small entity fee \$110.00
small e	ntityfee \$55.00
	verified statement attached
	verified statement filed on
,	Fee Payment
Attache	ed is a check in the sum of \$
<del></del>	for this Disclaimer was previously paid on ;  Account 17-0150 for any fee deficiency required by this paper.
<u>XX</u> Charge disclaimer is <u>XX</u> attache	Account <b>17-0150</b> the sum of <b>\$110.00</b> . A duplicate of this d.

#### Declaration

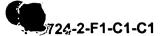
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Spalding Sports Worldwide, Inc.

Date: 94 2001

Reg. No. 33,000

Fay, Sharpe, Fagan, Minnich & McKee, LLP 1100 Superior Avenue, Seventh Floor Cleveland, OH 44114-2518 TECHNOLOGY CHNTHER REATOR



#### **Fee Status**

(37 CFR 1.20(d) and 37 CFR 1.321)

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	` Declaration

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Spalding Sports Worldwide, Inc.

Richard M. Klein, Counsel

(Smr 10/4/2001)

Reg. No. 33,000

Fay, Sharpe, Fagan, Minnich & McKee, LLP 1100 Superior Avenue, Seventh Floor

Cleveland, OH 44114-2518

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